

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOSEPH P. CARRANZA,

Plaintiff,

- against -

THE CITY OF NEW YORK, et al.,

Defendants.

JAMES C. FRANCIS IV
UNITED STATES MAGISTRATE JUDGE

: 05 Civ. 10010 (KMK) (JCF)

: ORDER

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 12/20/06

Plaintiff having submitted a letter dated December 11, 2006 to the Honorable Kenneth M. Karas, U.S.D.J., and Judge Karas having forwarded the letter for my consideration, it is hereby ORDERED as follows:

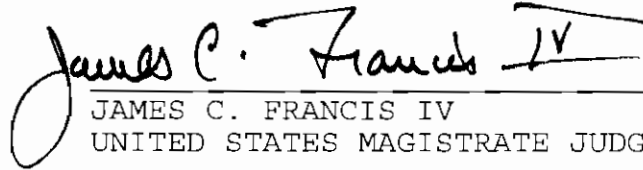
1. Plaintiff attaches a letter to me dated October 31, 2006 from Michael S. Morgan in the office of the New York County District Attorney and asks whether Mr. Morgan's request had been acted upon. It had not, because I never received a copy of the letter. However, upon review of the letter, I now grant the application to stay discovery with respect to defendant Holly Agajanian pending determination of her motion to dismiss. A stay is appropriate because she has raised colorable Eleventh Amendment and prosecutorial immunity defenses.

2. Plaintiff expresses uncertainty concerning whether I considered his October 17, 2006 letter in advance of issuing my October 19, 2006 Memorandum Endorsement. I did.

3. The balance of plaintiff's letter is an appeal (apparently untimely) from my October 19, 2006 ruling. I am therefore

respectfully returning it to Judge Karas for his consideration.

SO ORDERED.


JAMES C. FRANCIS IV
UNITED STATES MAGISTRATE JUDGE

Dated: New York, New York
December 20, 2006

Copies mailed this date:

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